

REMARKS

Claims 1-54 are now pending in the application. Claims 4, 13, 20, 31, 40 and 47 are cancelled. Claims 1-3, 5-10, 12, 14-19, 21, 23-30, 32-39, 41-46, 48 and 50-54 have been amended. Support for the amendments can be found throughout the written description, claims, and drawings as originally filed. Therefore, no new matter has been added. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments, remarks contained herein and the Request for Continued Examination (RCE) filed herewith.

INTERVIEW SUMMARY

Applicant thanks the Examiner for courtesy extended during the telephone interview of June 15, 2009. No exhibit or demonstration was conducted. The pending rejections and prior art references mentioned below were generally discussed. Agreement was reached that, subject to further search and consideration, the above claim amendments define over the art of record.

REJECTION UNDER 35 U.S.C. § 102

Claims 1, 2, 5, 6-8, 10, 11, 14-16, 28, 29, 32-35, 37, 38, and 41-43 stand rejected under 35 U.S.C. § 102(e) as being

anticipated by U.S. Pub. No. 2007/0078624 ("Shu"). This rejection is respectfully traversed.

Claim 1 recites a wireless network device for communicating with a network comprising memory to store an image comprising a plurality of virtual machines and only one multi-tasking operating system. Each of the plurality of virtual machines comprises one of a plurality of wireless network applications to execute on the multi-tasking operating system. The wireless network device also comprises a processor to execute the plurality of virtual machines and a port. The port comprises a physical-layer device to communicate with the network and a media access controller to communicate with the physical-layer device and the processor.

The memory comprises one of a plurality of virtual machine queues for each of the plurality of virtual machines and a processor queue for the processor that is separate from the plurality of virtual machine queues. The processor stores data to be processed in the processor queue for members of the plurality of virtual machines being executed by the processor. Each respective one of the plurality of virtual machines creates a copy in a respective one of the plurality of virtual machine queues of the data in the processor queue when the processor is executing the respective one of the plurality of virtual machines. When the processor resumes executing a first of the

plurality of virtual machines after executing a second of the plurality of virtual machines, the first of the plurality of virtual machines copies the data from the respective one of the plurality of virtual machine queues to the processor queue.

Support for the amendments to claim 1 can be found throughout the written description, claims, and drawings as originally filed, and namely claim 4 and FIG. 7. Therefore, no new matter has been added.

A. Shu does not disclose all the elements of claim 1

Claim 1 is rejected over Shu. As set forth in the Office Action, claim 4 is rejected over Shu and Baumberger. Therefore, because claim 1 has been amended to include elements of claim 4, the 35 U.S.C. § 102 rejection to claim 1 has been overcome.

For example, claim 1 now recites that the memory comprises one of a plurality of virtual machine queues for each of the plurality of virtual machines and a processor queue for the processor that is separate from the plurality of virtual machine queues. The processor stores data to be processed in the processor queue for members of the plurality of virtual machines being executed by the processor. Each respective one of the plurality of virtual machines creates a copy in a respective one of the plurality of virtual machine queues of the data in the processor queue when the processor is executing the respective

one of the plurality of virtual machines. When the processor resumes executing a first of the plurality of virtual machines after executing a second of the plurality of virtual machines, the first of the plurality of virtual machines copies the data from the respective one of the plurality of virtual machine queues to the processor queue.

As admitted in the Office Action, the aforementioned features are not found in Shu. Therefore, the 35 U.S.C. § 102 rejection to claim 1 has been overcome for at least this reason.

B. Other Claims

Independent claims 10, 28 and 37 are allowable for at least similar reasons as claim 1. Dependent claims 2, 5, 6-8, 11, 14-16, 29, 32-35, 38 and 41-43 ultimately depend from claims 1, 10, 28 and 37 and are therefore allowable for at least similar reasons. Applicants' position with respect to claims 2, 5, 6-8, 11, 14-16, 29, 32-35, 38 and 41-43 should not be understood as implying that no other reasons for the patentability of claims 2, 5, 6-8, 11, 14-16, 29, 32-35, 38 and 41-43 exist. Applicants reserve the right to address these other reasons at a later date if needed.

REJECTION UNDER 35 U.S.C. § 103

Claims 4, 13, 31 and 40 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shu in view of U.S. Pub. No. 2007/0078624 ("Baumberger"). This rejection is respectfully traversed.

Claim 1 was amended to include some but not necessarily all the elements of claim 4, and claim 4 was cancelled. Therefore, the rejection to claim 4 will be discussed with reference to claim 1.

C. Shu and Baumberger do not show, teach, or suggest that the memory comprises one of a plurality of virtual machine queues for each of the plurality of virtual machines and a processor queue for the processor that is separate from the plurality of virtual machine queues.

During the interview of June 15, 2009, the Examiner agreed that, while Baumberger discloses queues, Baumberger does not disclose a processor queue that is separate from the plurality of virtual machine queues, as in claim 1. Instead, Baumberger merely discloses that a processor may access virtual machine queues (see Paragraph [0015] of Baumberger).

Further, Baumberger does not perform loading of data to/from the virtual machine queues and the processor queue, as in claim 1, because the processor of Baumberger simply accesses the virtual machine queues.

In claim 1, when being executed, each of the virtual machines copies the data in the processor queue to a respective virtual machine queue. When the processor resumes executing a first virtual machine after executing a second virtual machine, the first virtual machine copies the data from the virtual machine queue to the processor queue.

Claim 1 therefore includes elements not disclosed in the prior art.

Therefore, claim 1 is allowable for at least these reasons.

D. Other Claims

Independent claims 10, 17, 28, 37 and 44 are allowable for at least similar reasons as claim 1.

E. Other Rejections

Claims 3, 12, 30 and 39 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shu in view of U.S. Pub. No. 2002/0089875 ("Miyauchi"). Claims 9 and 36 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shu in view of U.S. Pub. No. 2005/0174962 ("Gurevich"). Claims 19 and 46 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shu and U.S. Pat. No. 7,290,178 ("Rothman") in view of Miyauchi. Claims 18, 22, 23, 24, 25, 26, 45, 49, 50, 51, 52 and 53 stand

rejected under 35 U.S.C. § 103(a) as being unpatentable over Rothman in view of Shu. Claims 27 and 54 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shu and Rothman in view of Gurevich.

Miyauchi, Gurevich and Rothman do not remedy the deficiencies of Shu and Baumberger with respect to the amended claims 1, 10, 17, 28, 37 and 44. Dependent claims 2-3, 5-9, 11-12, 14-16, 18-19, 21-27, 29-30, 32-26, 38-39, 41-43, 45-46 and 48-54 ultimately depend from claims 1, 10, 17, 28, 37 and 44 and are therefore allowable for at least similar reasons. Applicants' position with respect to claims 2-3, 5-9, 11-12, 14-16, 18-19, 21-27, 29-30, 32-26, 38-39, 41-43, 45-46 and 48-54 should not be understood as implying that no other reasons for the patentability of claims 2-3, 5-9, 11-12, 14-16, 18-19, 21-27, 29-30, 32-26, 38-39, 41-43, 45-46 and 48-54 exist. Applicants reserve the right to address these other reasons at a later date if needed.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly addressed. For all of the reasons set forth above, Applicants submit that the application is in condition for allowance. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. By addressing particular positions taken by the Examiner in the above remarks, Applicants do not acquiesce to other positions that have not been explicitly addressed. In addition, Applicants' arguments for the patentability of a claim should not be understood as implying that no other reasons for the patentability of that claim exist.

If the Examiner believes that personal communication will allow any outstanding issues to be resolved, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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